

HOUSE SUBSTITUTE TO SENATE BILL 7

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 10 of Title 15 of the Official Code of Georgia Annotated, relating to
2 magistrate courts, so as to provide that the General Assembly may at any time specify by
3 local law who shall serve as clerk of magistrate court; to provide for related matters; to
4 provide for an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 10 of Title 15 of the Official Code of Georgia Annotated, relating to magistrate
8 courts, is amended by revising subsection (a) of Code Section 15-10-105, relating to
9 magistrate court clerks, and by adding a new subsection to read as follows:

10 "(a) The General Assembly may at any time provide by local law for the superior court
11 clerk or state court clerk to serve as clerk of magistrate court or for the selection of some
12 other person as the clerk of magistrate court and for the compensation of the clerk of
13 magistrate court. In the absence of local law, the selection and compensation of the clerk
14 of magistrate court shall be as provided by subsections (b), (c), and (d) of this Code
15 section."

16 "(h) Unless otherwise provided by local law, any time a vacancy occurs in the office of
17 clerk of magistrate court, the county governing authority shall give notice to the clerk of
18 superior court and the clerk of state court at least one week prior to appointing a successor."

19 **SECTION 2.**

20 This Act shall become effective upon its approval by the Governor or upon its becoming law
21 without such approval.

22 **SECTION 3.**

23 All laws and parts of laws in conflict with this Act are repealed.